

REMARKS

The Office Action of June 26, 2007 has been reviewed and the Examiner's comments carefully considered.

Amendments to the Specification

The specification has been reviewed and a minor typographical error is corrected herein. No new matter has been added. Entry of this amendment is respectfully requested.

Restriction Requirement

In the Office Action, the Examiner identified two groups of inventions and required Applicants to elect one group for examination. These groups are:

Group I: claims 1-13 and 17-24, directed to a titanium oxide-based photocatalyst
Group II: claims 14-16 and 25-37, directed to a method for preparing a titanium oxide-based photocatalyst

Applicants hereby elect Group I (claims 1-13 and 17-24, directed to a titanium oxide-based photocatalyst) for examination. This election is made with traverse. The Examiner has suggested that subject matter of Group II is not linked to Group I so as to form a single general inventive concept under PCT Rule 13.1. Applicants respectfully disagree with the Examiner's restriction requirement made on this basis.

The titanium oxide-based photocatalyst as claimed in Group I is prepared by the method as claimed in Group II. Additionally, the titanium oxide-based photocatalyst exhibits features and characteristics that are expressly claimed in Group I that result from being prepared in the manner as claimed in Group II. Thus, these inventions are neither independent nor distinct within the meaning of 35 U.S.C. § 121, making the Examiner's restriction inappropriate.

In connection with restriction practice, MPEP § 803 states that "[i]f the search and examination of all the claims in an application can be made without serious burden, the Examiner must examine them on the merits" (emphasis added). The Applicants respectfully traverse the above described election requirement on the grounds that no serious burden exists on the Examiner by examining the claims of Groups I and II in a single application. The present